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11 *Representing the United States of America*

12 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

13 **-OOO-**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 CASE NO: 2:15-cr-00212-JCM-NJK

17 vs.

18 CHARLES PARKIN,

19 Defendants.

20 STIPULATION TO CONTINUE  
21 COMPETENCY HEARING  
*(Third Request)*

22 It is hereby stipulated and agreed, by and between NICHOLAS A. TRUTANICH,  
23 United States Attorney, and Alexandra Michael, Assistant United States Attorney,  
24 counsel for the United States of America, and Russ Marsh, Esq., counsel for defendant,  
that the competency hearing currently scheduled for July 9, 2019 at 10:00 a.m., be vacated  
and continued until a time convenient to the Court but no sooner than sixty (60) days.

25 This Stipulation is entered into for the following reasons:

26 1. The defendant filed a motion for a competency hearing on January 17,  
27 2019, ECF No. 60, and the court set a hearing date for January 28, 2019, ECF No. 62.  
28 The report in support of defendant's motion was provided to counsel for the government  
29 on November 6, 2018. The government has selected an expert, Dr. Collins, who has  
30 begun the process but will need additional time to complete the evaluation and finalize her  
31 expert report prior to the competency hearing.

1           2. The defendant does not oppose this request.

2           3. Subsequent to this stipulation, the parties plan to file a stipulation to  
3 continue calendar call and trial which are currently set for August 21, 2019 and August 26,  
4 2019.

5           4. The additional time requested herein is not sought for purposes of delay, but  
6 to allow government and defense counsel sufficient time to prepare for the competency  
7 hearing.

8           5. Denial of this request for continuance could result in a miscarriage of  
9 justice.

10          6. The additional time requested by this stipulation is excludable in computing  
11 the time within which the trial must start under the Speedy Trial Act, Title 18, United  
12 States Code, Section 3161 et. seq., considering the factors under Title 18, United States  
13 Code, Sections 3161(h)(1)(A), 3161(h)(1)(D), 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

14          7. This is the third request for a continuance.

16           DATED this 27th day of June, 2019.

18          s// Alexandra Michael  
19          ALEXANDRA MICHAEL  
20          Assistant United States Attorney

18          s// Russ Marsh  
19          RUSS MARSH, Esq  
20          Counsel for Charles Parkin

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
-000-

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO: 2:15-cr-00212-JCM-NJK

VS.

## CHARLES PARKIN,

## ORDER

Defendant.

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the competency hearing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the competency hearing in the above-captioned matter currently scheduled for July 9, 2019 at 10:00 a.m., be vacated and continued to September 9, 2019, at 10:00 a.m., in Courtroom 3C.

DATED: June 28, 2019

HONORABLE NANCY KOPPE  
UNITED STATES MAGISTRATE JUDGE